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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,684	06/27/2001	Stephen Peter de Jong	MS174305.1	3970
27195	7590	02/09/2005		
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
			EXAMINER GODDARD, BRIAN D	
			ART UNIT 2161	PAPER NUMBER

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/892,684	Applicant(s) DE JONG ET AL.	
	Examiner Brian Goddard	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14, 16, 32-36 and 49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14, 16, 32-36 and 49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Preliminary Amendment filed 31 January 2005.
2. Claims 1-9, 11-14, 16, 32-36 and 49 are pending in this application. Claims 1, 11, 32 and 49 are independent claims. In the Preliminary Amendment filed 31 January 2005, claims 10, 15, 17-31, 37-48 and 50 were cancelled; and claims 1-4, 6, 7, 9, 11-14, 16 and 49 were amended. This action is non-final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9, 11-14, 16, 32-36 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,292,933 to Bahrs et al.

Referring to claim 1, Bahrs discloses a system that facilitates employment of a pluggable formatter as claimed. See Figures 1-5 & 105-111 and the corresponding portions of Bahrs' specification for this disclosure. Bahrs teaches, "a system [See Figs.

1-5 & 105-111] that facilitates employment of a pluggable formatter ['Destination' (See Column 17, line 61 et seq.)], comprising:

- a decision module [ApplicationMediator (512)] that retrieves a first data structure ['Original' object data];

- a plurality of rule sets [ValidationRules (504) & 'Base Serializer Class'] that define serialization information about data structure types;

- a serialization selector ['Serializer' (See Figs. 105-111)] that determines a rule set of the plurality of rule sets to provide to the decision module based on the data structure type, the decision module populating a second data structure ['Changed' object data] based on the serialization information and providing a pluggable formatter ['Destination' (See Column 17, line 61 et seq.)] with the second data structure, so that the pluggable formatter can serialize the second data structure to an externalized [remote] format defined by the pluggable formatter" as claimed.

Referring to claims 2-4, Bahrs teaches the system of claim 1, as above, wherein the rule set is defined in the data structure, a third party file or as a default format [See ValidationRules (504) & Figs. 105-111] as claimed.

Referring to claim 5, Bahrs teaches the system of claim 1, as above, wherein the first data structure is an object [See Fig. 5] as claimed.

Referring to claim 6, Bahrs teaches the system of claim 1, as above, wherein the decision module retrieves a graph of objects one object at a time for serialization [See PlacementListener (514)] as claimed.

Referring to claim 7, Bahrs teaches the system of claim 6, as above, further comprising an object ID generator [PlacementListener (514)] coupled to the decision module, the object ID generator assigns object IDs to each object in the graph of objects as claimed.

Referring to claim 8, Bahrs teaches the system of claim 1, as above, the data structure containing information [data element code(s)] within the data structure that the serialization selector utilizes in determining a rule set [See Column 59, line 10 et seq.] as claimed.

Referring to claim 9, Bahrs teaches the system of claim 1, as above, wherein the decision module is integrated into the pluggable formatter [See Column 17, line 61 et seq.] as claimed.

Referring to claim 11, Bahrs teaches a system that facilitates employment of a pluggable formatter [See Figs. 1-5 & 105-111 and Discussions of claims 1-9 above], comprising:

- a formatter services component [Transporter (524)] that receives a decoded serialized stream from a pluggable formatter and creates a data structure [Base Deserializer Class] for deserialization of the decoded serialized stream; and

- an object manager [ApplicationMediator (512)] that tracks data in the decoded serialized stream [RequestEvent (522)] and determines forward references to additional data to provide fixups to the data structure upon receipt of the additional data [See Figs. 5 & 106] as claimed.

Claim 12 is rejected on the same basis as claim 1, in light of the basis for claim 11. See the discussions regarding claims 1 and 11 above for the details of this disclosure.

Claims 13-14 are rejected on the same basis as claims 2-3 respectively, in light of the basis for claim 12. See the discussions regarding claims 1-3 and 11-12 above for the details of this disclosure.

Claim 16 is rejected on the same basis as claim 6, in light of the basis for claim 11. See the discussions regarding claims 1, 6 and 11 above for the details of this disclosure.

Claims 32-36 are rejected on substantially the same basis as claims 1-9, 11-14 and 16. See the discussions regarding claims 1-9, 11-14 and 16 above, as well as the portions of Bahrs' specification cited therein, for the details of this disclosure.

Claim 49 is rejected on substantially the same basis as claims 1 and 11. See the discussions regarding claims 1 and 11 above, as well as the portions of Bahrs' specification cited therein, for the details of this disclosure.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,829,771 to Bahrs et al. and U.S. Patent No. 6,609,130 to Saulpaugh et al. are each considered particularly pertinent to applicants' claimed invention.

The remaining prior art of record is considered pertinent to applicants' disclosure, and/or portions of applicants' claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 571-272-4020. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
4 February 2005


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER